

REMARKS

By this Amendment, claims 1 and 11 are amended and claims 4 and 14 are canceled. Accordingly, claims 1-3, 5-13 and 15-20 are pending in this application. Reconsideration of the application is respectfully solicited.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance (for the reasons discussed herein); (b) do not raise any new issue requiring further search and/or consideration (since the amendments amplify issues argued throughout prosecution); (c) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (d) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

The Office Action rejects claims 1-20 under 35 U.S.C. §102(b) over Benson (U.S. Patent 5,301,325). This rejection is moot with respect to canceled claims 4 and 14, and is respectfully traversed with respect to the remaining claims.

Applicants respectfully submit that Benson does not disclose a controller which "identifies source register types as data registers or address registers...the controller selecting one or more selected source register types and one or more maximum numbers of corresponding target registers that correspond to the selected source register types as the target register capability" as recited in independent claim 1. Similarly, Applicants respectfully submit that Benson does not disclose "identifying source register types as data registers or address registers...and selecting one or more selected source register types and one or more maximum numbers of corresponding target registers that correspond to the selected source register types as the target register capability" as recited in independent claim 11.

Support for the claim amendments may be found in the specification, for example, on page 4, lines 16-26, and page 6, lines 1-9.

Benson discloses in column 6, lines 64-69, that "The compiler examines all AP-based memory references in the input code to determine how the same argument reference may be made in the target environment." The compiler in Benson does not identify the source register types as being data registers or address registers.

Nowhere in Benson does the controller identify the source register types as being data registers or address registers, and use this information to determine the target processor register capability, which it then uses to divide the source code. In fact, according to column 9, lines 8-12, "In general, the front end converter 20 need not consider the architecture of the target machine 25 upon which the object code 23 will be executed, when the front end 20 is translating from source code 15." Therefore, Benson expressly does not consider the architecture of the target machine when translating from the source code, and actually teaches away from the invention recited in claims 1 and 11.

Therefore, the subject matter recited in claims 1 and 11 is not anticipated by Benson. Therefore, Applicants respectfully request that the rejection of independent claims 1 and 11 and dependent claims 2-3, 5-10, 12-13 and 15-20 be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-3, 5-13 and 15-20 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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